

DETAILED ACTION

Claims 1, 4, 8, 9, 12, 16-19, 22, and 23 are allowed over the prior art of record.

Claims 2, 3, 5-7, 10, 11, 13-15, 20, and 21 have been cancelled.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephonic interview with the attorney of record, Chih Teng (Reg. No. 63,168) on 05/06/2009.

The application is amended as follows:

Claim 8. (Currently Amended): **[[A]] The** replication system according to claim 4... (the rest is unchanged).

Claim 16. (Currently Amended): **[[A]] The** unification vitalizing system for a plurality of network storages according to claim 12... (the rest is unchanged).

Claim 17. (Currently Amended): **[[A]] The** unification vitalizing system for a plurality of network storages according to claim 12... (the rest is unchanged).

Claim 18. (Currently Amended): **[[A]] The** unification vitalizing system for a plurality of network storages according to claim 12... (the rest is unchanged).

Claim 19. (Currently Amended): **[[A]] The** unification vitalizing system for a plurality of network storages according to claim 17... (the rest is unchanged).

Claim 22. (Currently Amended): **[[A]] The** unification vitalizing system for a plurality of network storages according to claim 12... (the rest is unchanged).

Claim 23. (Currently Amended): **[[A]] The** replication method according to claim 1... (the rest is unchanged).

Allowable Subject Matter

Claims 1, 4, 8, 9, 12, 16-19, 22, and 23 are allowed over the prior art of record.

The following is an examiner's statement of reasons for allowance:

Regarding independent claims 1, 4, 9 and 12 the prior art of record fails to disclose or suggest the combination of claimed provisions of:

preliminarily examining whether or not each of files and directories, that is indicated as an object to be copied, in said first network storage apparatus and each of copied files and directories maintain consistency, and setting a synchronization flag to each of files and directories which is proved to be consistent with a copy thereof; receiving a file access request from a client; judging that a replicating operation should be performed with execution of said file access request under conditions that said file

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access request is an updating file access request and that an access target of said file access request is a file or a directory which is indicated as an object to be copied and to which the synchronization flag is set.

The above limitations in combination with other limitations of claims 1, 4, 9 and 12 are not disclosed or suggested by the prior art that the Examiner encountered during the search of prior art.

The dependent claims, being definite, further limiting, and fully enabled by the specification are also allowed.

Note that "network storage apparatus"/ "network storages" recited in claim 1, 4, 9 and 12 are interpreted as hardware based on Fig. 1 and page 4, lines 20-25 of the specification. Therefore, claims 1, 4, 9 and 12 are statutory under 35 USC 101.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Points of Contacts

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HARES JAMI whose telephone number is (571)270-1291. The examiner can normally be reached on Mon to Fri 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on 571-272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hares Jami
Examiner, Art Unit 2162
May 28, 2009

HJ

/Jean M Corrielus/

Primary Examiner, Art Unit 2162